

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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RICARDO JIMENEZ,

Plaintiff,

- against -

CITY OF NEW YORK, WENDELL STRADFORD,
CHRISTOPHER HORN, BRONX COUNTY DISTRICT
ATTORNEY'S OFFICE, and MICHAEL SERRANO

ORDER

23 Civ. 6751 (NRB)

Defendants.

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NAOMI REICE BUCHWALD
UNITED STATES DISTRICT JUDGE

Having reviewed the parties' pre-motion letters, dated December 8, 2023 and December 13, 2023, the Court has determined that defendants may bring their motion without the necessity of a pre-motion conference.

Plaintiff is reminded that if, consistent with Rule 11, he can assert additional allegations to cure any alleged deficiencies raised by defendants' letter, it would be in the best interest of both the parties and the Court for plaintiff to assert them now, before briefing on the proposed motions. Plaintiff is thus granted leave to file an amended complaint within two weeks of this Order. At that time, if no amended complaint has been filed, the parties should confer on a briefing schedule agreeable to both

sides, in which no more than sixty days elapse from the filing of defendants' motion to the filing of defendants' reply.

Separately, plaintiff is granted leave to file an amended complaint by February 18, 2024 if plaintiff seeks to substitute a proper party for defendant Michael Serrano, see ECF No. 26.

SO ORDERED.

Dated: New York, New York
December 28, 2023



NAOMI REICE BUCHWALD
UNITED STATES DISTRICT JUDGE